

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)	
ARTESIAN WATER COMPANY, INC. FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	PSC DOCKET NO. 17-0932
AND NECESSITY TO PROVIDE WATER)	"PEACHTREE & FIRST STATE
SERVICES PURSUANT TO 26 DEL. C.)	HEADQUARTERS"
§203C(FILED AUGUST 1, 2017))	

ORDER NO. 9120

AND NOW, this 28th day of September, 2017, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on August 1, 2017, Artesian Water Company, Inc. ("Artesian" or the "Company") submitted an application ("Application") with the Commission pursuant to 26 Del. C. § 203C(e)(1)b. seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations to provide water service to two parcels of land in Sussex County, Delaware, more specifically identified by the Sussex County Tax Map Parcel Number 235-30.00-58.08 and 235-30.00-58.00 and referred to as "Peachtree & First State Headquarters" (the "Proposed Service Area"); and

WHEREAS, the Division of the Public Advocate filed a statutory notice of intervention on August 2, 2017; and

WHEREAS, the Commission Staff ("Staff") reviewed the Application to ensure compliance with the statutory provisions of 26 Del. C. § 203C and the Commission's Regulations Governing Certificates of Public Convenience and Necessity for Water Utilities, 26 Del. Admin. C. § 2002 (the "Regulations"); and

WHEREAS, the Application included evidence that Artesian had mailed notice of the Application and the options available to all landowners of record in the Proposed Service Area. In addition, Artesian provided evidence via affidavits of publication to show that it had published notice of its Application in two newspapers of general circulation; and

WHEREAS, Staff solicited comments from the Delaware Department of Natural Resources and Environmental Control ("DNREC"), the Office of the State Fire Marshal ("SFM"), and the Office of Drinking Water of the Division of Public Health ("ODW"). SFM and ODW confirmed that they have no issues relating to Artesian's ability to provide safe, adequate, and reliable water services to its existing customers. DNREC did not provide comments; and

WHEREAS, Staff submitted a memorandum to the Commission that confirms the Application meets all of the requirements for granting Artesian a CPCN for water services pursuant to 26 Del. C. § 203C and the Regulations. Accordingly, Staff recommends that the Commission grant the Company a CPCN based on the completed Application;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE

VOTE OF NO FEWER THAN THREE COMMISSIONERS:

1. Pursuant to 26 Del. C. § 203C(e), a CPCN is hereby granted to Artesian to serve the Proposed Service Area more specifically identified by the Sussex County Tax Map Parcel Numbers 235-30.00-58.08 and 235-30.00-58.00.

2. Artesian shall comply with any and all federal, state, county, and local statutes, ordinances, orders, regulations, rules,

and permit conditions that are applicable, or may become applicable, to any matter involving water utility services provided to the service territory granted by this CPCN.

3. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary